

# Draft

## PERMIT

**Permit No:** 200902681-MG

**Municipality:** Town of Waterford

**Work Area:** Niantic River off property located at 96A Niantic River Road

**Permittee:** Town of Waterford  
c/o Ronald Cusano  
15 Rope Ferry Road  
Waterford, CT 06385-2886

Pursuant to sections 22a-28 through 22a-35 and 22a-359 through 22a-363f of the Connecticut General Statutes ("CGS") and in accordance with CGS section 22a-98, and section 401 of the Federal Clean Water Act, as amended, and the Connecticut Water Quality Standards dated December 2002, a permit is hereby granted by the Commissioner of Environmental Protection ("Commissioner") to construct a stone-filled gabion seawall for shoreline flood and erosion control as is more specifically described below in the SCOPE OF AUTHORIZATION, in the Niantic River off property identified as the "work area" above.

### \*\*\*\*\*NOTICE TO PERMITTEES AND CONTRACTORS\*\*\*\*\*

**FAILURE TO CONFORM TO THE TERMS AND CONDITIONS OF THIS PERMIT MAY SUBJECT THE PERMITTEE AND ANY CONTRACTOR TO ENFORCEMENT ACTIONS, INCLUDING PENALTIES AND INJUNCTIONS, AS PROVIDED BY LAW.**

## SCOPE OF AUTHORIZATION

The Permittee is hereby authorized to conduct the following work as described in application, #200902681-MG including four (4) sheets of plans dated June 16, 2009, submitted by the Permittee to the Commissioner and attached hereto as follows:

1. install sedimentation and erosion controls;
2. remove existing sand, level the substrate and place bedding stone;
3. install 75 linear feet of new stone-filled gabion seawall, with a top elevation varying from +10.25' NGVD and +11.25' NGVD with a geotextile fabric placed landward of the seawall as shown on the plans attached hereto; and
4. remove the sedimentation and erosion control measures identified above.

**UPON INITIATION OF ANY WORK AUTHORIZED HEREIN, THE PERMITTEE ACCEPTS AND AGREES TO COMPLY WITH ALL TERMS AND CONDITIONS OF THIS PERMIT.**

**SPECIAL TERMS AND CONDITIONS**

1. Except as specifically authorized by this permit, no equipment or material including but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any wetland or watercourse on or off-site, nor shall any wetland or watercourse be used as a staging area or accessway other than as provided herein.
2. At no time shall heavy equipment, including but not limited to excavators, front-end loaders, trucks, backhoes, tractors and other non-low pressure equipment be staged waterward of the high tide line or in tidal wetlands.
3. Prior to the commencement of the work authorized herein, the Permittee shall install sedimentation and erosion control measures around the construction area. The Permittee shall maintain such sedimentation and erosion control measures in optimal operating condition until the work authorized herein has been completed and the area has stabilized.
4. All excavated sediment shall be stockpiled on the upland and contained using appropriate sedimentation and erosion controls designed in accordance with the 2002 Connecticut Erosion and Sediment Control Guidelines and shall continue to maintain such controls in good operating condition for the construction period of the project or until the site is stabilized.
5. All work associated with the installation of the bottom gabion basket authorized herein shall be conducted during the mid-point of an ebb tide and the mid-point of a flood tide.
6. All waste material generated by the work authorized herein shall be disposed of at an approved upland location landward of the high tide line and outside of any tidal wetland vegetation.
7. In undertaking the work authorized herein, the Permittee shall not cause or allow pollution of tidal wetlands or watercourses, including pollution resulting from sedimentation and erosion. For purposes of this permit, "pollution" means "pollution" as that term is defined by section 22a-423 of the General Statutes.
8. Not later than two (2) weeks prior to the commencement of any work authorized herein, the Permittee shall submit to the Commissioner, on the form attached hereto as Appendix A, the name(s) and address (es) of any contractor(s) employed to conduct such work and the expected date for commencement and completion of such work.
9. On or before (a) ninety (90) days after completion of the work authorized herein, or (b) upon expiration of the work completion date or any authorized one-year extension thereof, whichever is earlier, the Permittee shall submit to the Commissioner "as-built" plans prepared and sealed by a licensed engineer, licensed surveyor or licensed architect, as applicable, of the work area showing all contours, bathymetries, tidal datums and structures.

**GENERAL TERMS AND CONDITIONS**

1. All work authorized by this permit shall be completed within five (5) years from date of issuance of this permit ("work completion date") in accordance with all conditions of this permit and any other applicable law.
  - a. The Permittee may request a one-year extension of the work completion date. Such request shall be in writing and shall be submitted to the Commissioner at least thirty (30) days prior to said work completion date. Such request shall describe the work done to date, work which still needs to be completed and the reason for such extension. The Commissioner shall grant or deny such request in her sole discretion.
  - b. Any work authorized herein conducted after said work completion date or any authorized one year extension thereof is a violation of this permit and may subject the Permittee to enforcement action, including penalties, as provided by law.
2. In conducting the work authorized herein, the Permittee shall not deviate from the attached plans, as may be modified by this permit. The Permittee shall not make de minimis changes from said plans without prior written approval of the Commissioner.
3. The Permittee shall maintain all structures or other work authorized herein in good condition. Any such maintenance shall be conducted in accordance with applicable law including, but not limited to, sections 22a-28 through 22a-35 and sections 22a-359 through 22a-363f of the General Statutes.
4. Prior to the commencement of any work authorized hereunder, the Permittee shall cause a copy of this permit to be given to any contractor(s) employed to conduct such work. At the work area the Permittee shall, whenever work is being performed, make available for inspection a copy of this permit and the final plans for the work authorized herein.
5. The Permittee shall notify the Commissioner in writing of the commencement of any work and completion of all work authorized herein no later than three (3) days prior to the commencement of such work and no later than seven (7) days after the completion of such work.
6. Upon completion of any work authorized herein, the Permittee shall restore all areas impacted by construction, or used as a staging area or accessway in connection with such work, to their condition prior to the commencement of such work.
7. Any document required to be submitted to the Commissioner under this permit or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:

Permit Section  
Office of Long Island Sound Programs  
Department of Environmental Protection  
79 Elm Street  
Hartford, Connecticut 06106-5127

(860) 424-3034

Fax # (860) 424-4054

8. The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval of any document or other action, shall be the date such notice is personally delivered or the date three (3) days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" as used in this permit means calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or a Connecticut or federal holiday shall be submitted or performed on or before the next day which is not a Saturday, Sunday, or a Connecticut or federal holiday.
9. The work specified in the SCOPE OF AUTHORIZATION is authorized solely for the purpose set out in this permit. No change in the purpose or use of the authorized work or facilities as set forth in this permit may occur without the prior written authorization of the Commissioner. The Permittee shall, prior to undertaking or allowing any change in use or purpose from that which is authorized by this permit, request authorization from the Commissioner for such change. Said request shall be in writing and shall describe the proposed change and the reason for the change.
10. This permit may be revoked, suspended, or modified in accordance with applicable law.
11. This permit is not transferable without prior written authorization of the Commissioner. A request to transfer a permit shall be submitted in writing and shall describe the proposed transfer and the reason for such transfer. The Permittee's obligations under this permit shall not be affected by the passage of title to the work area to any other person or municipality until such time as a transfer is authorized by the Commissioner.
12. The Permittee shall allow any representative of the Commissioner to inspect the work authorized herein at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this permit.
13. In granting this permit, the Commissioner has relied on representations of the Permittee, including information and data provided in support of the Permittee's application. Neither the Permittee's representations nor the issuance of this permit shall constitute an assurance by the Commissioner as to the structural integrity, the engineering feasibility or the efficacy of such design.
14. In the event that the Permittee becomes aware that they did not or may not comply, or did not or may not comply on time, with any provision of this permit or of any document required hereunder, the Permittee shall immediately notify the Commissioner and shall take all reasonable steps to ensure that any noncompliance or delay is avoided or, if unavoidable, is minimized to the greatest extent possible. In so notifying the Commissioner, the Permittee shall state in writing the reasons for the noncompliance or delay and propose, for the review and written approval of the Commissioner, dates by which compliance will be achieved, and the Permittee shall comply with any dates which may be approved in writing by the Commissioner. Notification by the Permittee shall not excuse noncompliance or delay and the Commissioner's approval of any compliance dates proposed shall not excuse noncompliance or delay unless specifically stated by the Commissioner in writing.

15. In evaluating the application for this permit the Commissioner has relied on information and data provided by the Permittee and on the Permittee's representations concerning site conditions, design specifications and the proposed work authorized herein, including but not limited to representations concerning the commercial, public or private nature of the work or structures authorized herein, the water-dependency of said work or structures, its availability for access by the general public, and the ownership of regulated structures or filled areas. If such information proves to be false, deceptive, incomplete or inaccurate, this permit may be modified, suspended or revoked, and any unauthorized activities may be subject to enforcement action.
16. The Permittee may not conduct work waterward of the high tide line or in tidal wetlands at this permit site other than the work authorized herein, unless otherwise authorized by the Commissioner pursuant to CGS section 22a-359 et. seq. and/or CGS section 22a-32 et. seq.
17. The issuance of this permit does not relieve the Permittee of their obligations to obtain any other approvals required by applicable federal, state and local law.
18. Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed by the Permittee and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows: "I have personally examined and am familiar with the information submitted in this document and all attachments and certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief, and I understand that any false statement made in this document or its attachments may be punishable as a criminal offense."
19. This permit is subject to and does not derogate any present or future property rights or powers of the State of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

Issued on \_\_\_\_\_, 2009

STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

---

**Amey W. Marrella**  
**Acting Commissioner**

**Permit #200902681-MG, Waterford**  
**Town of Waterford**

**OFFICE OF LONG ISLAND SOUND PROGRAMS**

**APPENDIX A**

**TO: Permit Section**  
**Department of Environmental Protection**  
**Office of Long Island Sound Programs**  
**79 Elm Street**  
**Hartford, CT 06106-5127**

**PERMITTEE:** Town of Waterford  
c/o Ronald Cusano  
15 Rope Ferry Road  
Waterford, CT 06385-2886

**Permit No:** #200902681-MG, Waterford

**CONTRACTOR 1:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

**CONTRACTOR 2:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

**CONTRACTOR 3:** \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_

**EXPECTED DATE OF COMMENCEMENT OF WORK:** \_\_\_\_\_

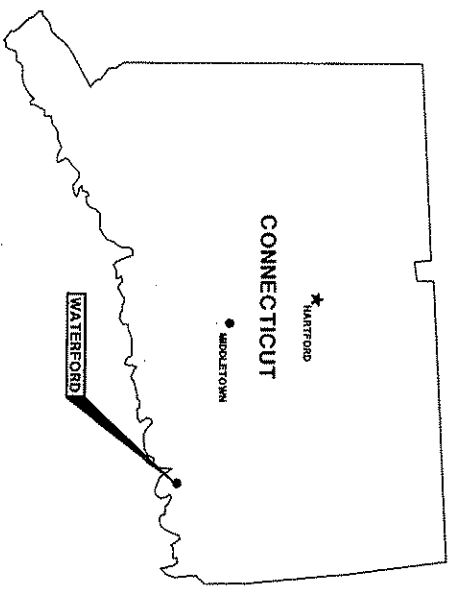
**EXPECTED DATE OF COMPLETION OF WORK:** \_\_\_\_\_

**PERMITTEE:** \_\_\_\_\_

(signature)

(date)

**TOWN OF WATERFORD, CONNECTICUT**  
**CONTRACT PW-46**  
**NIANTIC RIVER ROAD**  
**SLOPE STABILIZATION**  
**JUNE 2009**



**BOARD OF SELECTMEN**

DAVID H. STEWART, FOR Selection  
PAUL A. SERRANO  
JAMES J. SERRANO  
MAYOR 2008

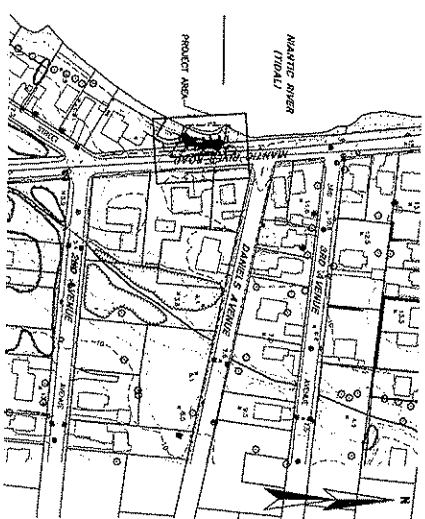
**Public Works Department**

1000 WATERFORD ROAD  
WATERFORD CONNECTICUT 06395

**DRAWING INDEX**

DRAWING NO. DRAWING TITLE

- COVER
- C-1 SITE PLAN, WALL PROFILE AND SECTIONS
- C-2 SECTIONS



**FOR REVIEW**  
**NOT FOR CONSTRUCTION**

**WRIGHT-PIERCE**  
Engineering a Better Environment

FOR REVIEW 6/16/09  
FOR BIDDING 6/16/09  
WP PROJECT NO. 11084B

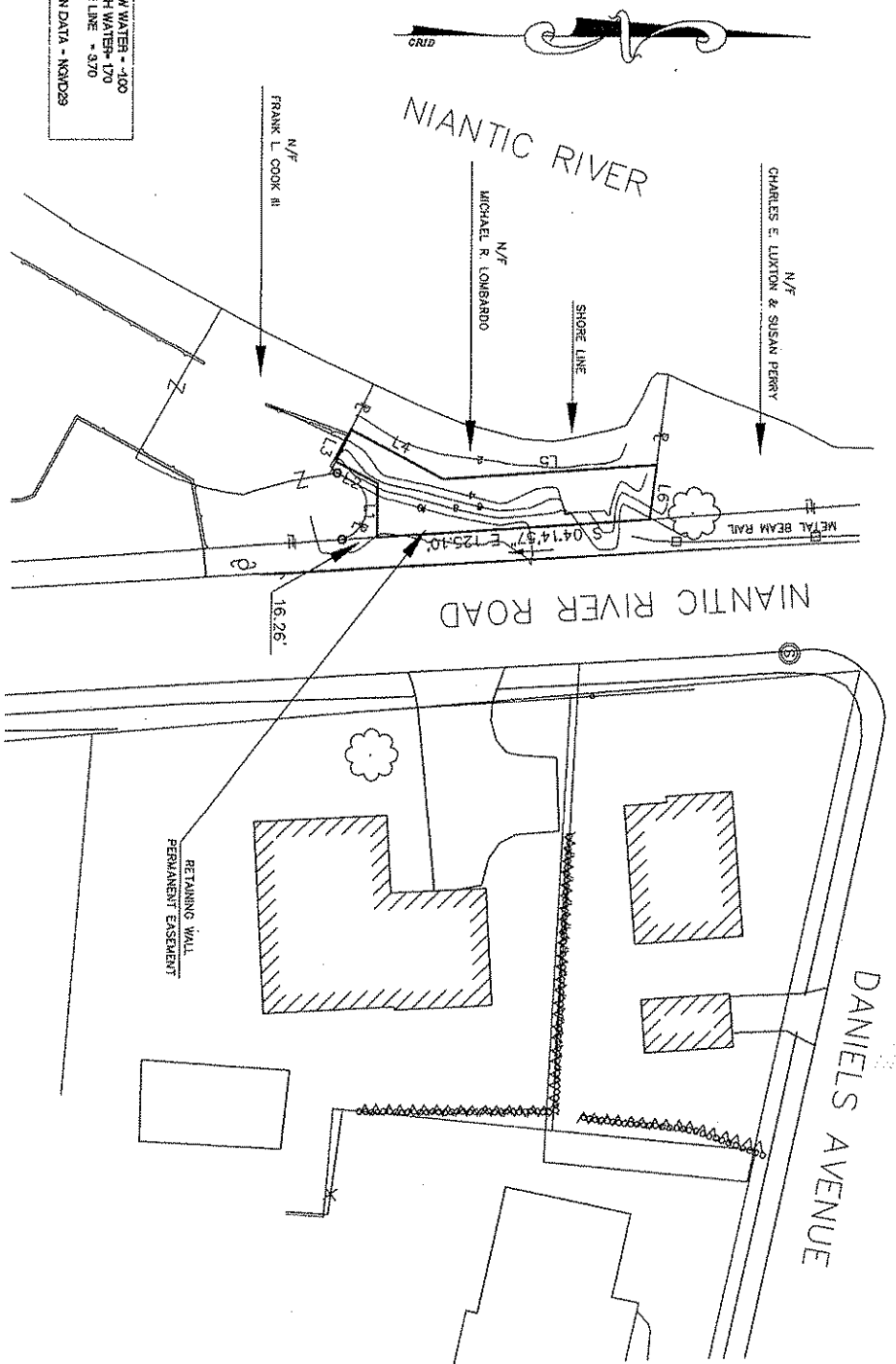
MEAN LOW WATER - 100  
MEAN HIGH WATER - 170  
HIGH TIDE LINE - 370  
ELEVATION DATA - NAD83

LINE	LENGTH	BEARING
L1	24.83	N89°59'40"V
L2	21.83	S27°36'27"V
L3	16.01	N64°42'25"V
L4	48.04	N27°35'04"E
L5	98.03	N04°13'57"V
L6	25.33	S83°00'03"E

# LEGEND:

- IRON PIPE (FND)
- ▬ PROPERTY LINE
- ▬ HIGHWAY LINE
- ⊕ UTILITY POLE
- ⊗ SEWER MANHOLE

- NOTE: 1. SCALE MAY BE DISTORTED AFTER REPRODUCTION
2. NORTH AND SOUTHERN BEARINGS BASED ON THE NAD 83 COORDINATE SYSTEM
3. REFERENCE MAP ENTITLED "SITE PLAN SHOWING PROPOSED SEA WALL TO BE CONSTRUCTED ALONG SHORE PROPERTY OF FRANK L. COOK III" BY J. ROBERT PRANNER & ASSOCIATES P.C.
4. REFERENCE PLAN OF RIVERSIDE BEACH WATERFRONT, CORN. DANIEL AVENUE DEVELOPED BY TITUS AND BISHOP LAND CO. INC. NEW LONDON, CONN. BY BLUMBERG & LANGRISH, INC. ARCHITECTS & ENGINEERS, DATED JUNE 1984



THIS SURVEY AND MAP HAS BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-30B-1 THRU 20-30B-20 OF THE REGULATIONS OF CONNECTICUT STATE DEPARTMENT OF CONSTRUCTION STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT. THE SURVEY WAS CONDUCTED BY THE ASSOCIATION OF LAND SURVEYORS, INC. AS A MEMBER SURVEYING ASSOCIATION. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT.

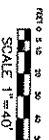
*Ronald R. Cusano*  
RONALD R. CUSANO  
CONN. P.E./L.S. 1881

PLAN OF  
PERMANENT  
RETAINING WALL  
EASEMENT  
PROPERTY OF  
MICHAEL R. LOMBARDO  
96A NIAN TIC RIVER ROAD  
WATERFORD CONNECTICUT  
PREPARED FOR THE

STATE OF CONNECTICUT  
DEP

BY

THE TOWN OF WATERFORD  
PUBLIC WORKS DEPARTMENT



DRAWN: GF  
DATE: JUNE 2008  
CHECKED: RRC  
DRAWING: 0-2 with topo

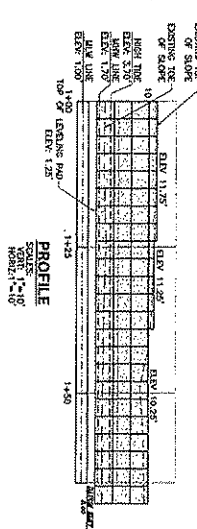


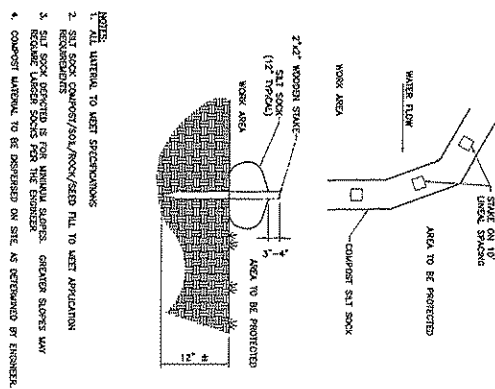
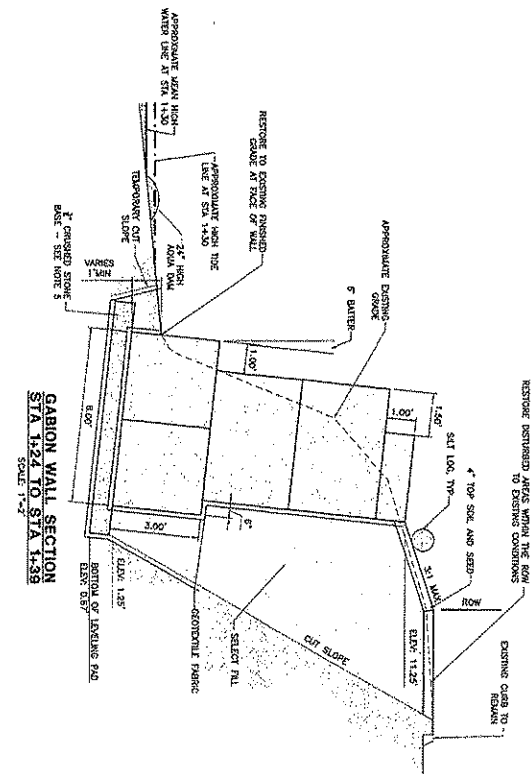
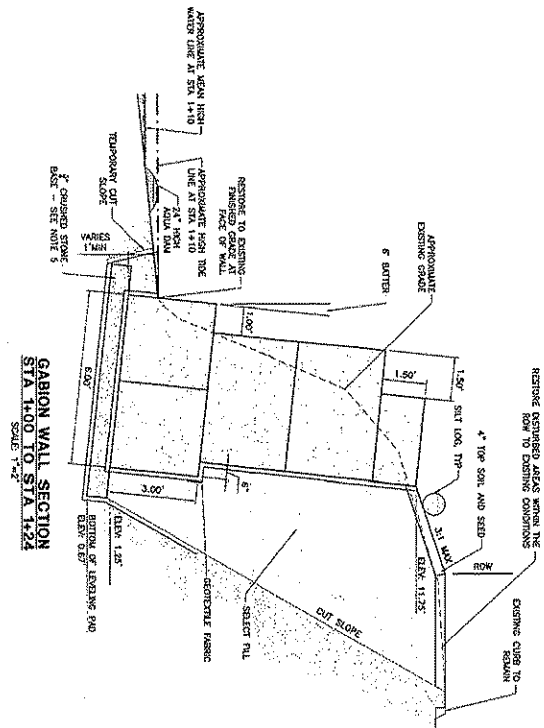
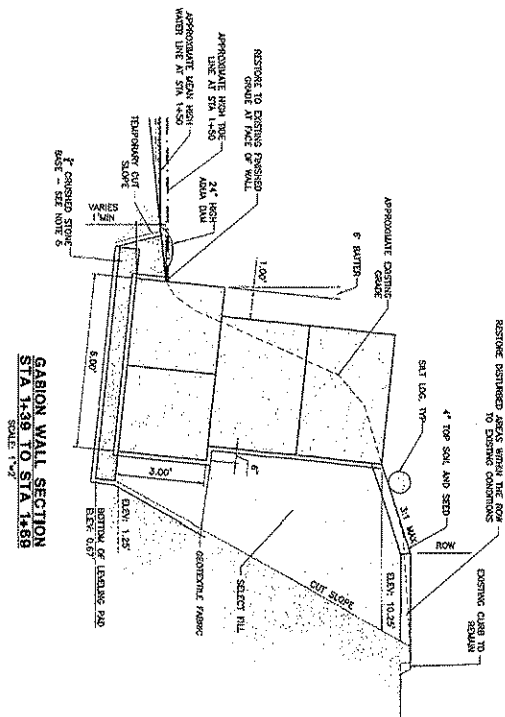
1. THE LOCATION OF THE STABILIZATION UNIT(S) AND STRUCTURE(S), AS SHOWN ON THE DRAWINGS, ARE APPROXIMATE AND MAY NOT BE COMPLETELY ACCURATE. THE EXACT LOCATION OF THE STABILIZATION UNIT(S) AND STRUCTURE(S) SHALL BE DETERMINED BY THE FIELD TEST PERSONNEL. STRUCTURES ARE SHOWN, ALL LOCATIONS AND SIZES OF EXISTING BUILDINGS AND STRUCTURES SHALL BE VERIFIED IN THE FIELD WITH TEST PERSONNEL. THE LOCATION OF THE STABILIZATION UNIT(S) SHALL BE DETERMINED BY THE FIELD TEST PERSONNEL. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RECORDING THE LOCATION OF THE STABILIZATION UNIT(S) AND STRUCTURE(S) TO CONVEY THEM TO DESIGN AND AS SHOWN ON THE DRAWINGS.
2. THE CONTRACTOR SHALL PROVIDE PROPER ACCESS TO THE STABILIZATION UNIT(S) AND STRUCTURE(S) FOR INSPECTION AND TESTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE OWNERS PROTECTION OF THE ACTUAL LIMIT OF DISTURBANCE. WORK, EXISTING & EXPOSED CONTROLS SHALL BE REVEALED AT THE OWNERS REQUEST. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE OWNERS PROTECTION OF THE ACTUAL LIMIT OF DISTURBANCE.
3. MATERIALS AND METHODS USED FOR STABILIZATION CONTROL, INCLUDING THE STABILIZATION, SHALL BE AS SPECIFIED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE STABILIZATION CONTROL, INCLUDING THE STABILIZATION, SHALL BE AS SPECIFIED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE STABILIZATION CONTROL, INCLUDING THE STABILIZATION, SHALL BE AS SPECIFIED BY THE CONTRACTOR.
4. ALL EXISTING DRAIN FACILITIES SHALL BE STRUCTURED IN THE SHORTEST PRACTICAL TIME AND TEMPORARY DRAIN CONTROL DEVICES SHALL BE INSTALLED TO PROTECT THE EXISTING DRAIN FACILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE STABILIZATION CONTROL, INCLUDING THE STABILIZATION, SHALL BE AS SPECIFIED BY THE CONTRACTOR.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE STABILIZATION CONTROL, INCLUDING THE STABILIZATION, SHALL BE AS SPECIFIED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE STABILIZATION CONTROL, INCLUDING THE STABILIZATION, SHALL BE AS SPECIFIED BY THE CONTRACTOR.

- [illegible]

1. STRIP ALL VEGETATION, ORGANIC SOILS AND UNSATURABLE FILL SOILS FROM THE WALL ASCENDANT AREA
2. BENCH CUT ALL EXCAVATED SLOPES.

3. DO NOT EXCAVATE SLOES DIRECTED TO DO SO BY THE OWNER'S SITE REPRESENTATIVE IN ORDER TO REMOVE UNDESIRABLE SOILS.
4. THE OWNER'S SITE REPRESENTATIVE SHALL VERIFY FOUNDATION SOILS AS BEING COMPATIBLE FOR THE DESIGN STANDARDS AND PARAMETERS.
5. EXCAVATION PAD SHALL CONSIST OF COMPACTED, 1" CRUSHED GRAVEL, 6" THICK AND EXTENDING AT LEAST 12" TO EITHER SIDE OF THE BASE DRAIN.
6. INSTANT DRAINAGE OF WALL BEHIND FISHING GROUND SHALL BE INSTALLED ON THE DRAINAGE.
7. FOLLOW MANUFACTURER'S SPECIFICATIONS OF THE MANUFACTURER'S INSTALLATION INSTRUCTIONS AND WRITTEN SPECIFICATIONS, ESPECIALLY WITH REGARD TO DETAILS OF JOINTS AND BASE.
8. BACKFILL AND COMPACT THE FILL MATERIAL BEHIND THE WALL AS THE WALL IS INSTALLED.
9. CONSTRUCTION TESTS SHALL BE TAKEN AS THE WALL IS INSTALLED. THE MINIMUM NUMBER OF TEST SHALL BE DETERMINED BY THE OWNER'S SITE REPRESENTATIVE.
10. PLACE A FILTER FABRIC (LEAST 100% OF EQUAL) OVER THE GRAVELLY MATERIAL TO MINIMIZE SOIL MIGRATION FROM THE SURFACE MATERIAL AND TO THE DRAINAGE COLLECTION. PLACE FILTER FABRIC BETWEEN NEW WALL AND EXISTING EXISTING WALL.
11. CONSTRUCTION SHALL BE TO SLOE (GRADIENT METHOD). TESTING IS NOT REQUIRED FOR SLOE FILL.
12. PROVIDE LATERAL DRAINAGE STRIPS TO DIRECT FLOW AROUND THE SOLE OF THE WALL AND AWAY FROM THE WALL DURING CONSTRUCTION. WALL DRAINAGE SHALL BE INSTALLED AT THE BASE OF THE WALL AND BEHIND THE WALL. THE DRAINAGE STRIPS SHALL BE LOCATED ABOUT THE WALL SO THAT WATER FLOWS OVER THE WALL DRAINAGE STRIPS AND BEHIND THE WALL.
13. THERE SHALL BE AN ACCEPTABLE FLOW OF SOIL DURING INSPECTION SHOULD BE ESTABLISHED AT THE TOP OF THE WALL AS SOON AS THE WALL IS COMPLETED.
14. FILL WALL ALONGSIDE SHALL BE LOCATED IN THE FIELD BY THE OWNER'S SITE REPRESENTATIVE.
15. REQUIRED CONSTRUCTION EQUIPMENT (MINIMUM) IS LISTED OF THE OWNER'S SITE AS FOLLOWS:  
5-7-4 FEET: VIBRATORY ROLLER COMPACTORS  
4-15 FEET: VIBRATORY ROLLER WITH TWO-DRUM, WIDE-SPREAD VIBRATORY ROLLER





**SILT LOG DEATH.**  
SCALE: 4075

SCALE: 40%

